THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION Nos.34381, 34390 & 34397 of 1997

DATED: 15-03-2007

W.P.No.34381 of 1997

Between:

D.Sriramulu
… Petitioner.

And

The Depot Manager,
APSRTC, Bhainsa Depot.
Adilabad. … Respondents

W.P.No.34390 of 1997:

Between

S.Sathaiah … Petitioner

And

The depot Manager,
APSRTC, Nirmal Depot,
Adilabad district. … Respondent.

W.P.No.34397 of 1997:

Between:
M.Satyanarayana Rao … Petitioner

And

The Depot Manager,
APSRTC, Bhainsa Depot.
Adilabad. … Respondents

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION Nos.34381, 34390 & 34397 of 1997

COMMON ORDER:

Since in these three writ petitions a common issue has been raised, they are disposed of by this common order.

Petitioners have been working as drivers on daily wages basis. Disciplinary proceedings were initiated against them and pending the said proceedings the respondents have issued proceedings wherein they were informed that they were placed under put off duty till the finalization of enquiry. It is these orders that are challenged in these writ petitions.

No counter affidavits have been filed. Heard Sri G.Vidyasagar, learned counsel for the petitioners and the counsel representing Ms.Rajini for the respondents.

Sri G.Vidyasagar relied upon a judgment of this Court in **Regional Manager, APSRTC, Nellore vs S.K.Ghulam Rasool**[1] wherein this Court held that the service Regulations of APSRTC do not provide for placing any of its employees either permanent, temporary or working on daily wages on put off duty. The Bench also repelled the contention advanced on behalf of the Corporation that since the daily wage workers are not covered by the Regulations, the Corporation is entitled to place them on put off duty. The Bench relied

upon the earlier Division Bench judgment rendered in Writ Appeal No.218 of 1993 in declaring the action of the corporation in placing its employees on put off duties as illegal.

Following these two Division Bench judgments, these writ petitions are allowed and the impugned proceedings are declared as illegal. The petitioners are entitled to consequential benefits.

C.V.NAGARJUNA REDDY,J

Dt:15-03-2007.
Mdaa.

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[1] 2003(3) ALT 376